UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,156	11/12/2003	Erol Bozak	09700.0036-00	8253

22852   7590   07/11/2007

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EXAMINER
BARQADLE, YASIN M

ART UNIT	PAPER NUMBER
2153	

MAIL DATE	DELIVERY MODE
07/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<table>
<tr>
<td rowspan="3">Office Action Summary</td>
<td>Application No.</td>
<td>Applicant(s)</td>
<td></td>
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<tr>
<td>10/712,156</td>
<td>BOZAK ET AL.</td>
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<td>Examiner</td>
<td>Art Unit</td>
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<td>Yasin M. Barqadle</td>
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *4/11/2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) *9-18* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 19-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Response to Amendment

The amendment filed on April 11, 2007 has been fully considered

but are moot in view of the new ground(s) of rejection.

- Claims 9-18 have been withdrawn.

- Claims 1 and 19 have been amended

- New claims 21 and 22 have been added

- Claims 1-8 and 19-22 are presented for examination.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which

forms the basis for all obviousness rejections set forth in this

Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

Claims 1-8 and 19-22 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Barrett et al U.S. Patent Number

(5699532) hereinafter "Barrett" in view of Sridhar et al U.S.

Patent Number (6098108), hereinafter "Sridhar".

As per claim 1,19 and 21, Barrett teaches a method comprising:

receiving, from an application process, a document

specifying a communication protocol and a communication channel

"The XID message of FIG. 5 comprises a header field 90

identifying the type of local station, the address of the

destination and the length of the XID message. Field 91 carries

an identification of the multi-path channel group to be

activated while field 92 contains the status of the multi-path

channel group (active or inactive). Field 93 contains an

identification of a particular user protocol, for example, the

SNA protocol" col. 9, lines 8-31 and col. 16, lines 47-52);

reading the document (col. 7, lines 9-54);

instantiating the communication channel with the

application process using the communication protocol (A user

application such as user application 60 in FIG. 4 communicates

with the multi-path channel interface such as interface 61 in

FIG. 4 by means of messages directing the MPC to allocate,

activate, and deactivate multi-path channel groups, and to start

sending data and complete sending data" col. 8, lines 49-64 and

col. 9, lines 39-59)

sending communications to the application process using the

communication protocol through the communication channel (col.

9, lines 39-59. See also col. 11, lines 44-51); and

receiving communications from the application process using

the communication protocol through the communication channel

(Once the sub-channels of a transmission group are physically

enabled, one or more exchange identification (XID) messages are

exchanged between the two ends of each sub-channel to prepare

for the transmission of user data. As discussed in connection

with FIGS. 5 and 6, part of this exchange may be to determine

the user protocols and to negotiate desired transmission

parameters such as buffer sizes or link sizes. Col. 8, lines

49-64 and col. 9, lines 39-59. See also col. 11, lines 44-51);

determining whether the communication channel requires

communication with at least one of the computer device (col. 11,

lines 14-43).

Although Barrett shows substantial features of the claimed

invention, Barrett is silent regarding accessing properties

(file) information reflecting addresses of computer devices.

Nonetheless, this feature is well known in the art and would

have been an obvious modification of the system disclosed by

Barrett, as evidenced by Sridhar USPN. (6098108).

In analogous art, Sridhar whose invention is about distributed
directory for enhanced network communication discloses accessing
properties information reflecting addresses of computer devices
(col. 25, lines 9-56). Giving the teaching of Sridhar, a person
of ordinary skill in the art would have readily recognized the
desirability and the advantage of modifying Barrett by employing
the distributed directory system of Sridhar in order to provide
communication services needed to communicate using specified
enhanced communication protocol and to forward packets to the
appropriate device based on the accessed network address.

As per claim 2,20 and 22, Barrett teaches the method of claim 1
further comprising:

        sending a request for data describing the application
process and its requirements and receiving data describing the
application process and its requirements (col. 9, lines 9-59.
See also col. 11, lines 14-51).

As per claim 3, Barrett teaches the method of claim 2 wherein
the data comprises process identification or degree of
consumption of a resource by the application process (col. 7,
lines 34-45 and col. 10, lines 12-30)

As per claim 4, Barrett teaches the method of claim 3 wherein

the data further comprises a definition of the resource (col. 7,

lines 34-45 and col. 10, lines 12-30 and fig. 5-6).

As per claim 5, Barrett teaches the method of claim 3 wherein

the resource comprises one or more of a central processing unit,

memory, socket bindings, memory storage space, and communication

bandwidth (col. 7, lines 34-45 and col. 10, lines 12-30).

As per claim 6-8, Barrett shows performing actions such

allocate, de-allocate process a command to the application

process to perform an action, wherein the action is one of

start, stop, wait, resume, and change priority (col. 7, lines

34-45 and col. 8, lines 3-11 and 49-65).

Conclusion

1. **ACTION IS MADE FINAL.**   See MPEP § 706.07(a).   Applicant is

   reminded of the extension of time policy as set forth in 37

   CFR 1.136(a).

   A shortened statutory period for reply to this final action

is set to expire **THREE MONTHS** from the mailing date of this

action.   In the event a first reply is filed within **TWO MONTHS**

of the mailing date of this final action and the advisory action

is not mailed until after the end of the **THREE-MONTH** shortened

statutory period, then the shortened statutory period will

expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated

from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than

SIX MONTHS from the date of this final action.

The prior made of record and not relied upon is considered

pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier

communications from the examiner should be directed to Yasin

Barqadle whose telephone number is 571-272-3947. The examiner

can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, Glenn Burgess can be

reached on 571-272-3949. The fax phone numbers for the

organization where this application or proceeding is assigned

are 703-872-9306 for regular communications and 703-746-7238 for

After Final communications.

Any inquiry of a general nature or relating to the status

of this application or proceeding should be directed to the

receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be
obtained form the Patent Application Information Retrieval
(PAIR) system. Status information for published applications may
be obtained from either private PAIR or public PAIR system.
Status information for unpublished applications is available
through private PAIR only. For more information about the PAIR
system, see http://pair-direct.uspto.gov. Should you have .
questions on access to the Private PAIR system, contact the
Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

Art Unit 2153

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